

Article history: Received 30 June 2017; Accepted 7 February 2018

'Bad Hombres': The Effects of Criminalizing Latino Immigrants through Law and Media in the Rural Midwest

Andrea Gómez Cervantes[‡]
Daniel Alvord[¥]
Cecilia Menjívar[§]

Abstract

In this article we explore the policy and legal build-up that led to the 2017 Executive Orders targeting Latino/a immigrant families and communities. We provide a historical backdrop for the merging of criminal and immigration laws that has contributed to the criminalization of the behaviors, bodies, and communities of Latino/a immigrants. We then look at the media narratives that bury immigrants' complex identities and reproduce daily the demonization of Latino/as as criminals. Together, these factors contribute to socially construct a "Brown Threat" which reproduces anxieties and fears about crime, terror, and threats to the nation, affecting the everyday lives of immigrants and non-immigrants alike, though in different ways. Based on an 18-month ethnography in a small Kansas town carried out before and after the signing of Executive Orders in 2017, we examine the spill-over effects of this environment on Guatemalan immigrant families as well as on non-immigrant Anglo-white residents in a rural community.

Keywords: immigration policy; Latino/a; Executive Orders; Kansas; Midwest; criminalization; rural communities; media; stereotypes.

Introduction

A few days after his inauguration, President Trump signed a series of Executive Orders (EOs) targeting immigration from Latin America and Muslim-majority nations. How could such racially-charged orders come about in the first place? We argue that this was not simply the result of the peculiarities of the most recent presidential election or the new administration's extraordinary measures. Rather, the EOs signed in early 2017 were facilitated by decades of laws passed and policies implemented, political discourse, and media narratives that have criminalized certain groups of immigrants, particularly Latino/as and Muslims, in sustained fashion for at least two decades (Menjívar 2014; Sinema, 2012). Such narratives and legislative advances have fallen on fertile soil at a precise historical moment, when U.S. publics are fearful about rapid cultural change in

[‡] Andrea Gómez Cervantes, Doctoral Candidate, Department of Sociology, University of Kansas, United States. E-mail: a.gomezcervantes@ku.edu.

[¥] Daniel Alvord, Doctoral Candidate, Department of Sociology, University of Kansas, United States. E-mail: dalvord@ku.edu.

[§] Cecilia Menjívar, Foundation Distinguished Professor, Department of Sociology, University of Kansas, United States. E-mail: menjivar@ku.edu.



the face of profound demographic shifts that some fear will diminish the economic and political power of the white population. Therefore, we argue, far from being aberrant legislation, the EOs are the culmination of a long history of immigrant and immigration criminalization through law. In this article we ask, how does the long-trend of criminalizing certain immigrants through law affect the perceptions and experiences of residents (immigrants and non-immigrants alike) in a rural community in the Midwest? How do the “deserving vs. undeserving” narratives transmitted through media and political discourse affect immigrants’ and non-immigrants’ views of each other? Through 18 months of ethnographic fieldwork, we explore the widespread effects of the political nativist buildup to the 2017 Executive Orders on a rural community composed of Anglo-white residents and Guatemalan immigrants. The views and perceptions these two groups have of one another shape their relations and ultimately their community. Our in-depth examination of these social dynamics reveals how immigration law together with media depictions impact immigrants and non-immigrants alike, in different ways. Such impacts shape relations between the two groups, a relevant point to contemporary discussions of immigration beyond this small community in the heartland of the country.

First, we provide a brief historical discussion of the key laws that, we argue, have built up to the most recent EOs because they criminalize immigrants through the continued merging of immigration and criminal law, also known as “cimmigration” (Stumpf, 2006). Next, we outline some of the most common media narratives that have portrayed Latino/a immigrants as “undeserving,” as bringing crime into the country and thus helping to sustain criminalization through law. Last, we provide a glimpse into the effects that the combination of criminalizing Latino/a immigrants through law and media depictions of these immigrants as criminals has on relations between immigrants and a town residents. We argue that the atmosphere created by immigration laws and media portrayals have direct implications for immigrants and their families but also for entire communities, including non-immigrant residents. As the new administration delivers on its campaign promises, Latino/a immigrants face a new kind of hostility (Hernandez, 2008). Portrayals conveyed through media have contributed fears about crime and panic about threats to the nation, thus priming support for extreme anti-immigrant measures and for seeing immigrants with suspicion. Following a description of our 18-month ethnographic fieldwork and semi-structured interviews conducted with immigrant Latino/as and Anglo-Americans between 2016 and 2017 in rural Kansas, we shed light on some of the consequences of such policies and depictions.

Securing the Nation

While immigration laws fall in the civil realm, meaning immigrants cannot be treated as criminals for immigration violations, changes starting in the 1980s

have made it possible for immigration violations to be treated as criminal offenses but with limited due process and rights associated with criminal charges (Stumpf, 2006). In the past several decades, as part of the “punitive turn” in the legal control of marginal groups (Garland, 2001; Pratt, Brown, Brown, Hallsworth, & Morrison, 2005; Wacquant, 2000) characterized by mass incarceration that targets specifically individuals of color (Wacquant, 2000, 2001), the immigration enforcement system also has relied on punitiveness and incarceration, blurring the lines between civil and criminal punishments (Dowling & Inda, 2013; Golash-Boza, 2012; Kubrin, Zatz, & Martínez Jr., 2012; Stumpf, 2006). Starting with the 1986 Immigration Reform and Control Act (IRCA), immigration policies have made undocumented border crossings more difficult by hyper-surveilling the border and expanding the definition of the types of behaviors considered punishable with deportation. Most importantly, many of the behaviors that are considered criminal for immigrants are not so for U.S. citizens (Provine, 2015), nor were considered felonious offenses before 1996. As more behaviors become criminalized (and thus grounds for deportation), immigrants become perceived as criminals (Chacón, 2015; Stumpf, 2006).

In 1996 President Clinton signed both the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), and the Antiterrorism and Effective Death Penalty Act (AEDPA), which cemented the association of immigrants with crime. Combined, these laws gave the then Immigration and Naturalization Services office (INS) unprecedented authority to apprehend and deport immigrants who were constructed as threats to communities and to national security (Welch, 2003). These laws curtailed access to due process for immigration offenses, limited judicial review of deportation and detention, and encouraged the INS to expand the types of crimes that are grounds for deportation under the newly created category (signed by President George H. W. Bush in 1988) of “aggravated felonies” (Menjívar, 2014; Menjívar and Kanstroom, 2014; Welch, 2003). These laws also made such offenses retroactive regardless of when the violation was committed or whether the person served their sentence.

IIRIRA of 1996 and the 2001 Patriot Act, (signed by President George W. Bush) amplified the list of behaviors considered criminal and therefore grounds for deportation, and the Criminal Alien Program initiatives together with programs such as the Secure Communities Program (passed in the Obama administration) have contributed to the mass detention and deportation of a large class of immigrants. Between 2008 and 2012, the majority of deportees, or 77.4 per cent, were deported without having a prior criminal record (Ewing, Martinez, & Rumbaut, 2015). The overwhelming majority of deportees in 2014 were from Mexico and Central America, (96 per cent) and 90 per cent were



men (TRAC Immigration, 2016), making Latinos, especially men, the preeminent targets of the criminalization of immigration policy.

Even though programs like the 287(g), contained in IIRIRA 1996, were shelved because their implementation was found to be based on racial profiling, the Trump administration is resurrecting them. In one of his first acts in office, the president signed a series of Executive Orders (EO) aimed at fulfilling his campaign pledge to “make America safe again.” These Orders have noticeably accelerated immigrant criminalization by expanding the deportability of not just any undocumented immigrant convicted of any type of crime, but also any undocumented immigrant simply *suspected* of committing a crime as well as undocumented presence itself. These Orders expand expedited removal, which makes it impossible for immigrants to contest their deportation or to notify family members of their whereabouts once they have been detained. Whereas previously expedited removal was confined to the border regions, the new EOs allow for expedited removal from the interior of the country as well. In 2017, border apprehensions decreased by 6 per cent from year 2016, but internal apprehensions increased by 40 per cent, with 110,568 arrests in 2017 compared to 77,806 in 2016 (Department of Homeland Security, 2017). It is then possible that the build-up to the EOs and the EOs themselves further shape the experiences, perceptions, and relationships of immigrants and non-immigrants who share spaces in communities across the country.

Immigration laws, the recent EOs, and enforcement tactics that criminalize Latino/as have not emerged in a vacuum. These criminalizing practices have been accompanied and reinforced by a growing rhetoric that justifies and legitimizes the association between Latino/as and criminality. Media depictions and public officials’ narratives are crucial in this respect.

“Illegal Immigrants” and Criminals

Latino/as have been historically depicted as “undeserving immigrants” shown as criminals in media and political narratives (Chavez, 2013; Escobar, 1999; Menjivar, 2016; Santa Ana, 2002), described as “illegal” and their migration as “dangerous waters” (Santa Ana, 2002). The growth of the Latino population is portrayed as “suffocating” the nation’s existing population along with its economic, political, and welfare systems (Chavez, 2013; Santa Ana, 2002) while also “polluting” the current social order (Cisneros, 2008). Deploying a “Reconquista” image, constructions of Mexicans returning to reclaim their previously lost lands in the U.S. Southwest, their migration has been couched as a danger and threat to the nation. In this context, Mexicans, and by association Latino/as, are depicted as “criminals,” engaging in criminal acts, as “illegals,” or “aliens” (Chavez, 2013).

However, studies have found that immigrants are less likely to commit crimes than the U.S.-born with a similar demographic profile (Adelman et al., 2017;

Ewing et al., 2015), and are less likely to be incarcerated than the native-born (Ghandnoosh & Rovner, 2017; Landgrave & Nowrasteh, 2017). In a review of twenty years of research results exploring the links between immigration and crime, Ousey and Kubrin (2018) find an overall weak and negative association between immigration and crime. Furthermore, ample evidence has shown that as the immigrant population in communities across the country has risen, crime rates in those areas have fallen, particularly violent crimes (Adelman et al., 2017; Ewing et al., 2015; Ghandnoosh & Rovner, 2017; Ousey & Kubrin, 2014). Thus, evidence-based scholarship does not sustain the association among immigrant illegality, crime, and Latinos/as that is depicted in the news media or in public officials' discourse.

Media images and public discourse, however disconnected from empirical evidence, are powerful in constructing immigrants, particularly Latinos/as, as criminals. When the media regularly report on what politicians plan on doing to address "the problem" of immigration, especially when they use criminalizing terminology as they convey the news, the media contribute to sustaining such negative images. Such messages are conveyed to a public already primed to view certain immigrants as criminals, but also to the immigrants themselves, which can lead to the internalization of negative images about themselves (Menjívar, 2016). Thus, when reporting about laws, enforcement, and EOs, for example, newscasters and reporters mimic what politicians do; in conveying the news they highlight the criminal element supposedly embedded in migratory flows and cement in the public's mind the association between crime and immigration (see Stewart, 2012). Such powerful narratives depicting Latino/a immigrants as criminals and thus, as undeserving immigrants, can shape the experiences and perceptions of non-immigrants and immigrants about each other.

Data and Methods

Data for this paper come from an 18-month ethnographic project in a place we call Wheatville, a small rural town in eastern Kansas. With a population of about 3,500, Wheatville is home to a small community of recently-arrived Maya Guatemalan immigrants and well-established Anglo-white residents. In contrast to other Kansas rural towns, Wheatville's population has remained steady at 3,500, thanks in part to the presence of a meatpacking plant, the largest employer in town. A few factors went into the selection of Wheatville for this study. Wheatville is home to an established Anglo-white resident population and a newer Mayan-Guatemalan immigrant population, making this field site a perfect location to gain a better understanding of relationships between the two groups. Wheatville is located in the rural Midwest, which provides a glimpse into the social dynamics of small towns, where much of the immigrant—long-time resident interactions take place. Finally, although Kansas is a Republican state home to some controversial anti-immigrant leaders, the state has been very



slow at passing omnibus anti-immigration laws. Kansas is one of the few states that offer in-state tuition to undocumented students, but the state does follow the national trend in prohibiting social benefits for undocumented immigrants, driver's licenses, or employment. In contrast to other states, then, Kansas is not in the national spotlight for anti-immigration legislation. All protocols were approved and are on file with the University of Kansas IRB office.

In addition to participant observation of the town life, we have conducted interviews with 21 Guatemalan residents and 26 Anglo-white residents. Both interviews and ethnographic participant observation are part of an ongoing research project that started in the Summer 2016 and continues today. The time period of our research coincides with the 2016 presidential campaign and election and thus our study has allowed us to capture, in natural experiment fashion, before and after experiences around the 2016 presidential election.

Ethnographic participant observation and informal conversations during the study take place at homes and in public spaces such as parks, libraries, restaurants, coffee shops, the town court house, business in town, as well as in formal and informal social gatherings such as town events, church services, family gatherings, festivals, or birthday parties. Detailed notes are taken during the events or promptly after the event or encounter ends. Notes describing the events in detail are often recorded after the events and thereafter transcribed.

Interviews have lasted between 30 minutes and two hours; they are audio recorded and later transcribed verbatim. If respondents do not feel comfortable with recordings, extensive notes are taken during the interviews. These take place either at public spaces or at participants' homes. Participants give verbal consent before the beginning of the interviews, and all respondents are given pseudonyms to protect their confidentiality. After identifying key study participants, snowball sampling is used to locate additional participants. The average age of the Maya Guatemalan study participants was 28.5 years and their average educational level is about 4 years of schooling. Most of these immigrants work at a meatpacking plant in Wheatville. The Anglo-white residents ranged in age from the mid-20s to their early 70s. Their occupations varied from school teachers and school superintendents, retired teachers, small business owners, managers of large corporate franchises, temp agency staff, law enforcement, doctors, pastors, hospital administrators and more. Most of those interviewed work in Wheatville, though a few also commute to work in a city about 30 minutes from town. The semi-structured nature of the interviews, and extensive participant observation, allowed for themes regarding family life, work, education, community, and politics to emerge naturally. Without much probing, study participants often discuss their fears regarding the political environment in the country today.

We use Atlas.ti to analyze the data and rely on inductive analysis to uncover the main themes in the field notes and interviews (Thomas 2006). While many topics and themes emerge from the data, ranging from family life, community engagement, institutional support, social ties, journey stories, or language, in this paper we only focus on the empirical observations regarding the effects of the criminalization of immigration law through law and media on immigrants, non-immigrants, and their communities.

Effects on the Lives of Immigrants

The existing legal context together with media depictions helped shape the effects of the EOs. These factors also helped configure and inform micro-level encounters between immigrants and Anglo-white non-immigrants. However, they shape these encounters in different ways. For the Maya-Guatemalan immigrants living in Wheatville, the criminalization of immigrants through law and media narratives has created an environment of fear and anxiety. They live afraid of the police and of the possibility of being detained and deported. For instance, Ofelia, age 37, has been living in Wheatville for a little over a year and was in the process of applying for asylum when we first contacted her. She described enjoying her life in the United States mainly because she is with her husband and two sons and is able to send some money to her other two sons in Guatemala. Ofelia earns a modest income by babysitting for the Guatemalan parents who work long hours at the meatpacking plant in Wheatville. Although she says she enjoys life in the United States, she also describes feeling apprehensive about the police, which she felt surveilled her neighborhood often, driving daily up and down her street, multiple times a day. She explained, “We are always worried that all of a sudden they could grab us, well or they may take us.” Ofelia worries about the possibility of immigration officials or the police, which were often indistinguishable among undocumented informants, coming to her house and deporting her family. She said, “They are not going to come to take us from our home. Maybe if we go to the street, but inside the house, no way.” But now she remains unconvinced of her safety at home. Like many of the informants, Ofelia relied on the Spanish news channel, Univision, as a main source of information. She saw in the news that ICE could come to anyone’s house to apprehend and eventually deport family members.

But like they [Spanish media] say, if they [immigration officials] have an order well maybe they can take us from the house. But yes, we are worried, we are afraid to see the police. We are afraid to see the police... Always, everyday, everyday a [police] car drives over there [pointing out the window into the street]. I don’t know if he lives here or it is just surveilling, because [this happens] everyday. When I look [through the window] he comes down and then in a moment again, and like that. Yes. Yes, the police always come here.



Although Ofelia felt somewhat safe inside her home, feeling hopeful that the chances of ICE or the police entering her home are low (yet still possible), she tries to avoid public spaces. In our interactions with Ofelia, as is the case of many other residents, her apprehension toward authorities transpires not only in her words but also in her demeanor. Like her neighbors, Ofelia felt that their small neighborhood, made up of 10 trailer homes, is hyper-policed. Ofelia often sat at her small kitchen table looking out the window to see if the police was nearby. Importantly, their fears are not unfounded. During our research we discovered that the police indeed patrol that neighborhood more often than in other areas of town.

Like Ofelia, other Maya Guatemalan study participants express worry about being apprehended in public spaces, particularly when driving or walking outside as the police keep a particularly close eye on these immigrants. For example, Luz, a 36-year-old woman who has been living in the United States for almost 15 years, shared her worries about a new police officer in town who she felt was surveilling the Guatemalan immigrants more.

We are afraid again, always, when we go out for a walk, we are always looking over there [pointing out the window], he [the police officer] is there in the parking lot (Luz).

Taking a cue from politicians and new approaches to immigration enforcement, the police in Wheatville dedicate time and effort in the neighborhoods where the immigrants live, and consequently there is a noticeable increase in levels of fear under the new administration.

Many Guatemalan immigrants in this study also expressed fears of driving because they do not have access to driver's licenses. This could potentially be a reason to be apprehended by the local police and later deported through shared databases between local jails and federal immigration agencies, such as the CAP or Secure Community Programs. One day, as the first author was leaving Wheatville, Jacinta came rushing to the author's car, saying her family needed to talk with her. In their home, Jacinta and her husband, Omar, described a traumatic event. The day before, Jacinta, Omar and their two daughters were on their way to pay their taxes to a nearby city; only minutes outside Wheatville they were pulled over by the police. Without a driver's license, Omar was arrested. Jacinta's daughters cried and pleaded with the police not to take their dad away. In shock, without a phone, and afraid of walking back to Wheatville on the shoulder of the highway, Jacinta and the girls stayed in the car for what felt to them like hours. Eventually, another police car came to pick up Jacinta and her two daughters. Jacinta became even more terrified that the police were there to deport her and take her children away. In limited English she managed to say "no" to the police and stayed in the car. Eventually, word got to her neighbors, and her oldest son came to pick them up from the side of the road.

Omar still does not know why he was pulled over that day. He said his car lights were working and there was nothing wrong with the car. Omar is not the only Guatemalan resident in town who has been pulled over by the police, or arrested for not having a driver's license. As other studies have found, as immigration enforcement increasingly promotes the local targeting of undocumented immigrants, Latinos become subject to traffic stops and are hyper-surveilled (Armenta, 2017). Jacinta's daughters (ages 7 and 11), both of whom are U.S. citizens, saw their father arrested and increased their fears of his deportation. Like Jacinta's daughters, Guatemalan children in Wheatville—many of whom are U.S. citizens—are often afraid of the police, or other actors who resemble the police. This has important repercussions for relations between these immigrants and authorities, potentially undermining efforts at community policing.

Effects beyond the Immigrants

Immigrants experience directly the impacts of immigrant criminalization and negative media depictions, but Anglo-white non-immigrants also experience this criminalization, albeit in a different way. For these town residents, the presence of the Guatemalan immigrants represents a problem; they are perceived as requiring extra resources, especially for language translation, from various town institutions, such as the schools and the police. Such complaints ignore these immigrants' central contributions, through their work in the meatpacking plant (the major employer in town), to keeping the town economically afloat. As a real estate business owner explained to us, these immigrants' labor has saved the town, keeping it from the decline that most other towns in Kansas have experienced. At the same time, perceptions about the Guatemalan immigrants as criminals are mixed.

Some residents, such as Thelma, a woman in her 70s who spends most of her time at the local yarn shop knitting, expressed that she was sure that many of the Guatemalans she saw in the Dollar Store were stealing. Others complain that the Guatemalans were damaging the local soccer field by spraying weed killer on the grass to mark out the playing field. At this "offense," some residents in the town wanted to ban soccer from being played on the field. The police, however, stepped in and suggested the city buy white paint to mark the fields instead of altogether banning soccer in the town.

The police play an interesting role. In line with recent research, the police and sheriff in Wheatville have diverging views of the immigrants (see Provine, Varsanyi, Lewis, & Decker, 2016). The local sheriff infamously penned an op-ed calling for tighter border restrictions. This irritated the city police who has been trying to build a trusting relationship with the Guatemalans. The city police officer, who the second author went on a police ride along with, expressed annoyance that the sheriff's letter might undo the hard work he and



other officers put into building relationships with the Guatemalans. However, during the ride along the second author noted that the officer placed greater emphasis on patrolling the neighbourhoods where the Guatemalan immigrants live than other neighborhoods in the town. Over the course of about 6 hours, the officer drove through each neighbourhood twice looking for ‘trouble makers’ whom he said had previous encounters with the police.

Some of the Anglo-white residents in Wheatville have mentioned that the Guatemalan immigrants do not cause an increase in crime, which is indicative of the associations town residents make between the immigrants and crime. Such was the view of Heather, a co-owner of a local shop in her mid 40s. Most of her interactions with the Guatemalan immigrants take place on the few occasions when some of the immigrant women come in the store to shop. Heather recounted, with some levity, how both parties struggled to communicate across language barriers. The Guatemalans, she said, thankfully do not bring “the bad parts of their culture” to the town, meaning the prevalence of violence and criminal behavior that town residents, because of decades of laws and negative media portrayals that have come to criminalize immigrants mentioned above, associate with these immigrants.

This view among town residents is widely shared. When the Guatemalan immigrants first arrived 6 years before our fieldwork, Hannah, a professional in her mid-20s, told the second author that many people in her church were “hesitant” about the Guatemalans. “I think that they had a lot of the stigmas that go along with the Latino population which helped formed their opinions of the population here in the town.” Among the most hesitant residents of the town was her own father. She explained,

I think that my dad especially still carries some of those biases, which we all do, but the thing I love is that if he gets to know one of the Guatemalans then all of that goes away. You never hear any of those comments come out if it’s with someone [a Guatemalan immigrant] he knows and cares for.

Hannah’s comment about her father seems to suggest a classic contact hypothesis scenario in which increased contact with members of an outside group bring about positive feelings toward that group. Without first-hand contact, this theory suggests, “individuals are prone to rely on potentially problematic sources of information,” such as media representations (Ellison, Shin, and Leal 2011:939). However, the contact hypothesis (and its opposite, the threat hypothesis), generally have little to say regarding the effects of the context in which those interactions take place on such outcomes. As the politicized places hypothesis argues, “when communities are undergoing sudden demographic changes at the same time that salient national rhetoric politicizes immigration, immigrants can quickly become the target of local

political hostility” (Hopkins 2010:40). “Salient national rhetoric” involves primarily, if not exclusively, media and media consumption.

Most Anglo town residents have very little contact with the Guatemalan immigrants. Brenda, a 41-year-old teacher in the local school district explained,

For me personally I really don't see [the Guatemalans] impacting my world at all as far as my day-to-day life... You see them around in Wal-Mart and different things like that. They're all in their little cluster; they like to go together when they go shopping probably because they don't speak the language and there is safety in numbers. But it's been fine... I have not experienced any trouble with anybody. I think they keep to themselves.

This was also a view echoed by Stephanie one summer afternoon. The second author met Stephanie, in her mid 40s, at the local food pantry as she was collecting her once a month box of canned salmon, boxed cereal, and dried fruits, among other items. When the topic turned to the Guatemalan immigrants in town, Stephanie's remark was “As long as they don't make it kind of like Topeka then I'll be alright. They're nice people.” Erin, another Anglo-white resident, put it as follows:

Topeka has all sorts of negative connotations for people here... You see things in Topeka that may be here but just aren't as visible. People subscribe to the Topeka newspaper for their news and get a lot of their news from the Topeka TV channel. Then you're hearing ‘three murders in Topeka’ so you just get a sense that you're not safe.

So when Stephanie says “As long as they don't make it kind of like Topeka,” what she means is “As long as they don't increase crime.”

During our conversation, Stephanie's oldest son, Brandon, a junior in high school, came out to join us on the porch. “I don't know if people would have a different attitude towards them, maybe, if they were coming over here legally, actually paying for their stuff and attempting to learn English,” Brandon said. When asked if he meant the Guatemalans specifically in Wheatville, he replied “No, I'm just saying anywhere in the United States.” Immigrants as they are portrayed in the media – as lawbreaking criminals taking advantage of the social safety net- are the reference group associated with the negative stereotypes and remain largely unchangeable, even as attitudes towards immigrants living in Wheatville remain apathetic.

These comments highlight the role of the media in shaping the views of town residents. This worries Erin, a 38-year-old teacher in the school district who considers herself to be politically progressive and feels out-of-place in this small Kansas town. She confided over coffee,



That every week in the [local] paper – I jokingly refer to it as the gossip column – there is a section of people who get arrested or get tickets for things; no seatbelt all the way up to DUI or things like that. I do notice that you always notice a disproportionate amount of Spanish-sounding names and Native American sounding names in that section. I wonder if other people don't see a Guatemalan family walking and feel unsafe.

While criminalization through law and media affects immigrants by instilling fear, the effect of immigrant criminalization among the Anglo-white residents of Wheatville, arguably, manifests as distrust, ambivalence, and apathy towards these immigrants in the community.

Conclusions

The ethnographic findings of our project suggest that the long trend of criminalizing Latino/a immigrants building up to the EOs of 2017 has widespread consequences, reaching even non-immigrant residents in a small rural Kansas town. Decades of policies and media narratives promoting images of Latino/as as criminals shape the perceptions, expectations, and social relations of immigrants with non-immigrants. Media images of Latino/as as undeserving and dangerous along with immigration enforcement policies targeting these immigrants foment perceptions and shape relationships between the residents and immigrants of Wheatville. The rhetoric of securitization, criminalization, and terrorism during a presidential campaign that placed anti-immigrant sentiment center stage is the result of a long history of laws and media narratives targeting Latino/as, linking their physical appearance, identities, values, and behaviors to crime. As the social construction of the “Brown Threat” (Chavez, 2013; Rivera, 2014; Santa Ana, 2002) continues to be reproduced and amplified in the new political climate, targeted immigrants, together with their families and communities, will face enhanced environments of fear, surveillance, and mistrust of institutions.

Media and political narratives legitimize the criminalization of Latino/a immigrants created by immigration laws, EOs, and their enforcement. These depictions are consequential for immigrants' everyday lives as well as for non-immigrants' perceptions of immigrants, and ultimately relations between the two. As the case of the Maya Guatemalan immigrants in Wheatville shows, these immigrants live in fear and afraid of the police and of the possibility deportation in their everyday lives. Such fears are transmitted to their children, many of whom are U.S.-born citizens. Their communities are hyper-policed, and given the surge in enforcement in recent years and especially in detentions in 2017 (Department of Homeland Security, 2017), these immigrant families distrust the police and other institutions. This adds challenges to their social integration into the town and U.S. society in general.

The Anglo-white residents of Wheatville express unsettled views regarding the impact of the Guatemalan immigrants on the town. These residents are ambivalent about the Guatemalan immigrants, expressing fears of possible crime and at the same time stating the immigrants are “just fine.” This results in a general “institutional apathy” (Estrada, Ebert, & Halla Lore, 2016) among the town’s social institutions. Importantly, because of their media consumption, the Anglo-white residents evaluate the Guatemalan immigrants through a lens of criminalization and they express surprise or satisfaction when the Guatemalan immigrants in the town do not exhibit the same behaviors as the “bad ones” they hear about in the news. At the same time, almost none of the Anglo-white residents mention the positive economic contributions of the immigrants to the town, even though it is the immigrants’ labor that sustains the meatpacking plant—the largest employer in Wheatville.

Narratives that classify immigrants into “deserving” or “undeserving,” “worthy” or “unworthy,” transmitted through the media and cemented in laws, affect public views and politicians’ actions towards particular immigrant groups. At this historical juncture, Latinos/as bear the brunt of criminalization and exclusion, with short- and long-term consequences for their families and entire communities.

References

- Adelman, R., Williams Reid, L., Markle, G., Weiss, S., & Jaret, C. (2017). Urban crime rates and the changing face of immigration: Evidence across four decades. *Journal of Ethnicity in Criminal Justice*, 15(1), 52–77.
- Armenta, A. (2017). Racializing Crimmigration: Structural Racism, Colorblindness, and the Institutional Production of Immigrant Criminality. *Sociology of Race and Ethnicity*, 3(1), 82–95.
- Chacón, J. (2015). Producing Liminal Legality. *Denver University Law Review*, 92(4), 709–767.
- Chavez, L. R. (2013). *Latino Threat: Constructing Immigrants, Citizens, and the Nation* (Second Edition). Stanford, CA: Stanford University Press.
- Cisneros, J. D. (2008). Contaminated Communities: The Metaphor of “Immigrant as Pollutant” in Media Representations of Immigration. *Rhetoric & Public Affairs*, 11(4), 569–602.
- Department of Homeland Security. (2017). *DHS Announces Progress in Enforcing Immigration Laws, Protecting Americans*. Washington, DC. Retrieved from <https://www.dhs.gov/news/2017/12/05/dhs-announces-progress-enforcing-immigration-laws-protecting-americans>
- Dowling, J. A., & Inda, J. X. (2013). *Governing Immigration through Crime: A Reader*. Stanford, CA: Stanford University Press.
- Ellison, Christopher G., Heeju Shin, and David L. Leal. (2011). “The Contact Hypothesis and Attitudes Toward Latinos in the United States.” *Social Science Quarterly* 92(4):938-958.



- Escobar, E. (1999). *Race, Police, and the Making of a Political Identity*. Berkeley, CA: University of California Press.
- Estrada, E., Ebert, K., & Halla Lore, M. (2016). Apathy and Antipathy: Media Coverage of Restrictive Immigration Legislation and the Maintenance of Symbolic Boundaries. *Sociological Forum*, 31(3), 555–576.
- Ewing, W., Martinez, D. E., & Rumbaut, R. G. (2015). *The Criminalization of Immigration in the United States* (p. 29). American Immigration Council. Retrieved from <https://static1.squarespace.com/static/54704f60e4b0b3e05f68476d/t/55c115e9e4b07af739792746/1438717417405/Immigrants+and+Crime.pdf>
- Garland, D. (2001). *The Culture of Control: Crime and Social Order in Contemporary Society*. New York, NY: Oxford University Press.
- Ghandnoosh, N., & Rovner, J. (2017). *Immigration and Public Safety*. Washington, DC: Sentencing Project. Retrieved from <http://www.sentencingproject.org/wp-content/uploads/2017/03/Immigration-and-Public-Safety.pdf>
- Golash-Boza, T. (2012). *Immigration Nation: Raids, Detentions, and Deportations in Post-9/11 America*. Boulder, CO: Paradigm Publishers.
- Hernandez, D. M. (2008). Pursuant to Deportation: Latinos and Immigrant Detention. *Latino Studies*, 6, 35–63.
- Hopkins, Daniel J. (2010). “Politicized Places: Explaining Where and When Immigrants Provoke Local Opposition.” *American Political Science Review* 104(1):40–60.
- Kubrin, C. E., Zatz, M. E., & Martínez Jr., R. (2012). *Punishing Immigrants: Policy, Politics, and Injustice*. New York, NY: New York University Press.
- Landgrave, M., & Nowrasteh, A. (2017). *Criminal Immigrants Their Numbers, Demographics, and Countries of Origin*. Washington, DC: CATO Institute. Retrieved from https://object.cato.org/sites/cato.org/files/pubs/pdf/immigration_brief-1.pdf
- Menjívar, C. (2014). Immigration Law Beyond Borders: Externalizing and Internalizing Border Controls in an Era of Securitization. *Annual Review of Law and Social Science*, 10, 353–369.
- Menjívar, C. (2016). Immigrant Criminalization in Law and the Media: Effects on Latino Immigrant Workers’ Identities in Arizona. *American Behavioral Scientist*, 60(5–6), 597–616.
- Menjívar, C., & Kanstroom, D. (2014). *Constructing Immigrant “Illegality”: Critiques, Experiences, and Responses* (eBook). New York, NY: Cambridge University Press.
- Ousey, G. C., & Kubrin, C. E. (2014). Immigration and the changing nature of homicide in US cities, 1980–2010. *Journal of Quantitative Criminology*, 30(3), 453–483.
- Ousey, G. C., & Kubrin, C. E. (2018). Immigration and Crime: Assessing a Contentious Issue. *The Annual Review of Criminology*, 1(1), Online first.
- Pratt, J., Brown, D., Brown, M., Hallsworth, S., & Morrison, W. (2005). *The New Punitiveness: Trends, Theories, Perspectives*. Cullompton, Devon: Willan.
- Provine, D. M. (2015). The Morality of Law: The Case Against Deportation of Settled Immigrants. In *Closing the Rights Gap: From Human Rights to Social Transformation* (pp. 127–147). Berkeley, CA: University of California Press.
- Provine, D. M., Varsanyi, M., Lewis, P. G., & Decker, S. H. (2016). *Policing Immigrants: Local Law Enforcement on the Front Lines*. Chicago, IL: University of Chicago Press.
- Rivera, C. (2014). The Brown Threat: Post-9/11 conf lations of Latina/os and Middle Eastern Muslims in the US American imagination. *Latino Studies*, 12(1), 44–64.
- Santa Ana, O. (2002). *Brown Tide Rising*. Austin, TX: University of Texas Press.

- Sinema, K. (2012). No Surprises: The Evolution of Anti-Immigration Legislation in Arizona. In *Punishing Immigrants: Policy, Politics, and Injustice* (Edited by Charis E. Kubrin, Marjorie S. Zatz, and Ramiro Martinez, JR., pp. 62–91). New York, NY: New York University Press.
- Stewart, J. (2012). Fiction over Facts: How Competing Narrative Forms Explain Policy in a New Immigrant Destination. *Sociological Forum*, 27(3), 591–616.
- Stumpf, J. (2006). The Crimmigration Crisis: Immigrants, Crime, and Sovereign Power. *American University Law Review*, 56(2), 307–419.
- TRAC Immigration. (2016). *Tracking Immigration and Customs Enforcement Removals*. Retrieved from <http://trac.syr.edu/phptools/immigration/remove/>
- Wacquant, L. (2000). The New “Peculiar Institution”: On the Prison as Surrogate Ghetto. *Theoretical Criminology*, 4(3), 377–89.
- Wacquant, L. (2001). ‘Deadly Symbiosis: When Ghetto and Prison Meet and Mesh. *Punishment & Society*, 3(1), 95–134.
- Welch, M. (2003). Ironies of Social Control and the Criminalization of Immigrants. *Crime Law and Social Change*, 39, 319–337.

